



Testimony on
House Bill 1066 An Act Concerning Certificate Of Need Application Guidelines And the
Issuance Of Decisions
Public Health Committee
March 20, 2013

Senator Gerratana, Representative Johnson and members of the Public Health Committee, on behalf of the close to 7,500 physicians and physicians in training of the Connecticut State Medical Society (CSMS) and the American College of Surgeons Connecticut Chapter (ACP), thank you for the opportunity to provide this testimony to you today in opposition to House Bill 1066 An Act Concerning Certificate of Need Application Guidelines And the Issuance Of Decisions. This legislation would add yet another criterion for approval of a Certificate of Need (CON) application based on a highly subjective premise: “whether the proposed project is consistent with the goals of the Patient Protection and Affordable Care Act, P.L. 111-148.”

Since the inception of the CON decades ago, CSMS has continually raised concerns about the subjective process that establishes an unnecessary, expensive and time-consuming requirement for physicians and simply delays access to care for patients. It is a process in which applicants are provided no certainty that meeting specific guidelines, criteria, policies and procedures will guarantee receipt of a CON. Therefore, the language in House Bill 1066 adds another criterion for the review of a CON application in which the granting authority will interpret the intended goals of federal legislation. This places the applicant in yet another untenable situation when seeking a CON.

We fully support inclusion of language in 1066 clearly stating that should Department of Public Health (DPH) fail to issue a determination within the review period that the application is deemed granted as there has and continues to be delays in application review and approval. However, this does not outweigh our continued and strong opposition to the CON process as a whole. Therefore, we again have attached for your review a copy of testimony recently provided to this committee on Senate Bill 361 An Act Concerning the Certificate Of Need Process For Medical Devices, Equipment and New Technology. This testimony provided details of our concerns regarding the Certificate of Need process and reasons for our support of its elimination.

Please oppose House Bill 1066.